DOUBLE SHEET. SALES BY AUCTION.

A UCTION NOTICE.—HOUSEHOLD FURNITURE —AT II o'clock, at 175 Cherry street, Tuesday, April 27th, consisting of mahogany, cane and rush seat Chairs, mahogany Card Tables, Bedstoeds, three ply and ingrain Carpets, stair ditto, Tables, Washesland and Crookery, Hall Lanten, &c., &c., W. A. CARTER, Auctioneer, 7 New street. A UCTION NOTICE.—FERNITURE SALE. THIS DAY, at 10 o'clock, at 67 Fulcon street.—The entire Furniture of the house, comprising every rariety of Parlor and Hed. Spoom Furniture, tweaty Beeds and Bedding, Plated and Glass Ware, Tea and Dinner sets, Ritchen Furniture, Stoves, etc., JNO. SNIFFEN, Auctioned.

A UCTION NOTICE.—THOS. BELL, AUCTIONEER.—
By H. N. Bush.—This day, at 10 o'clock, in the Auction Rooms, 10 North William street, a most extensive and valuable variety of superior Honsehold Furniture, large Looking Classes, Heds. Mattreeses, &c.; also, Two Cases of Dry Goods and Clothing, Ladius: Hats, Riding Habits, and Fancy Articles. Also, this day, at 13% o'clock, a variety of Housebold Furniture, at 202 Wooster street, near Heecker.

THOS. BELL, Auctioneer.

THOS. BELL, Auctioneer.

A UCTION SALE OF FURNITURE, AT NO. II VARICK Place, this day, at 10 o'clock, by John E. Van Aatwerp-Ferriture Sale, at 11 Varick Place—donted and fashward production of the Printiere, belonging to a family breaking up housdonable Furniture, belonging to a family breaking up housdonable Furniture, belonging to a family breaking up housdonable for an advantage of the production of the production of the sale of the production of the production of the sale of the production of the productio

W. M. M. CORNICK, AUCTIONEER.—GENTERI, FUR-the corner of Warren and Church estrects, (32 Warren), the Furniture of a family giving up housekeping, com-prising the unual assortment of Parlor, Bedroom, Basement and Kitchen Furniture.

B. A. CHILTON, AUCTIONEER.—HOUSEHOLD FUR-well at anction.—Cole & Caliton will sell, on Wednesday, April 28th, at No. 23 Greene atreet, the furni-dure contained in the above house, consisting of the neual assortment of Carpets, Cil-cloths, Chairs, Sofas, Buroaus, Looking Glasses, Curtains, Bed-room Furniture, &c., &c. Terms cash, in bankable money.

B. A. CHILTON, A UCTIONEER.—HOUSEHOLD FUR.

niture at Auction.—Cole & Chilton will sell on Tuesday, 25th April, at 10 celock, at No. 14 Warren street, near Broadway, the furniture contained in the above house, consisting of Brussels and other Carpets, oil-cloth, mahogany Chairs. Bivans, marble top Centre Tables, Bircanas, Barce Looking Glusses, Window Curtains, &c., &c., together with a good variety of hed-room furniture. Sale to commence with the kitchen furniture. Terms cash, in bankable money. Catalogues to be ready on Tuesday.

BY M. HENRY, AUCTIONEER,—ON TUESDAY, April 29th, at half-part 10, at 52t Broadway, the furniture of a family breaking up housekeeping, consisting of Carpete, Chairs, Divane, Otomans, marble top Covice Table, marble ornaments, Paintings, Crockery, Kuives and Pecks, and Kitchen Utenells. The above furniture to be sold positively, without reserve, rain or shine.

J. W. BROWN. AUCTIONEER.—HOUSEHOLD FUR-niture.—Wednesday, April 20th, at 10 o'clock, at No. 500 Hamerslev street, will be sold at auction the furniture of a family leaving the city, consisting of Sofas, Chairs. B. ok-cases, French Hedsteads, bair Matrasses, Washstands, Dress-ing Burraus, Diving, Card and Centre Tables, Mantel Orna-ments, Looking Glasses, Crockery, Glassware, &c., &c.

D. S. HOUGH, AUCTIONEER. WEDNESDAY, 3)TH

WALTER GREENOUGH, AUCTIONEER.-ELEGANT

GREAT BOWLING AND BILLIARD ESTABLISH ment for sale.—The rooms, containing cight alleys and

A COUNTRY SEAT ON THE HUDSON RIVER.—FOR sale or to lot, a pleasant and commodious Gothic cottage, near Tiroli (Red Heok), with twenty-five or more acres of land, running down to the river. Aprily to CAMBRIDGE LIVINGSTON, 17 Wall street.

BUILDINGS LOTS FOR SALE, IN MORRISANIA Village, seven minutes' walk from the depot. One sere to be sold, either whole or in lots, for \$700. likewise eight lots, 25 by 102 feet at \$60 per lot. Inquire at 131 Bowery, corner of Grand street, at the Paint Store.

DOWERY.—TO LET, THE HOUSE NO, 304 HOWERY, with 25 feet as a yard, or the whole of rear ground of this and the adjoining lot of No, 3%, will be let or leased together, if a suitable tenant offers within a few days; or those will be let separata—which is at the junction of the horse will be fourth avenues, and a first-rate stand for any kin dof business. Apply at 12 Bond street, or 17 Wall street

FOR SALE OR TO LET—A HOUSE AND FARM OF about 25 acres, at Marmaroneck, on the New Haven Railroad, 21 miles from this city. The house is suitable for a genteel family, and with a garden will be let, or with 55 acres. Is within 40 rods of the denot. Apply to DANIEL P. SMITH, 129 Fulton street.

DANIEL P. SHITH, 120 Fulton street.

TOR SALE,—THE LEASE OF A STORE IN BROADway, 50 feet deep, and 22 feet front, suitable for any kind of business, six years from the first of May. Inquire of A. FLOCK, 614 Broadway.

TOR SALE OR TO LET.—A FINE COUNTRY RESIdence at Stamford, Connecticut, within five minutes wall of the New York and New Haven depot. The situation is most desirable and pleasant in that healthy town, having a fine view of the Sound and the surrouncing country. The house is nearly new, and contains ten rooms, with piazza, &c., conveniently arranged, and a fine well of soft water cannects with the kitchen. The grounds are about three-fourths of an acre, handsomely laid out into flower and vegetable gardens. If not sold it will be let for the whole or part of the year. Inquire at 6. II. Crosbey's book store, corner of William street and Exchange Place.

TOR SALE—THE LOT OF GROUND, WITH BUILDing thereon, No. 474 Fourth street, consisting of a twostory frame House, now occupied as a liquor story, and doing
a good cash business; there is in the reer a large two-story
work shop, that can be used by a carpenter or cabinet maker.
Possession of work shop immediately, and of the store on
the first of May. Part of the purchase money can remain on
hond and morttage. The property can be improved to pay
ten per cent. Apply to F. Brown, 75 Nassau street.

FOR SALE OR TO LET—A VERY BEAUTIFUL COTtage, at Dearman, on the Hudson, twenty miles from
town. Apply to M. B. FIELD. 29 Nassau street.

FOR SALE—THE THREE STORY BRICK HOUSE AND
lot, 57 Lezington avenue. It contains all the modern
improvements. Possession on the lst of May. Terms easy.
Apply on the premises, or of
JAMES CONNER & SON, 25 Ann street.

FOR SALE.—THE GOOD WILL OF A FRUIT, CANDY and Vegetable store, with the furniture of the place, now doing a good and profitable business, well worthy of notice. Apply on the premises, No. 36 York strget, Jersey City.

STORE TO LET-WILLIAM STREET-THE PIRST floor and basement of the store No. 59 William street. A good location for the dry goods or fancy business. Possession immediately. Apply to SAML. B. SCHIEFFELIN. 106 John street. STORE NO. 200 BLEECKER STREET, CORNER OF Grove street, and the three story home No. 278 Ninth street, near Tompkins square, to let. Apply to W. CORP, No. 2 Hall of Records.

TO LET.—THE HOUSE NO. 14 LE ROY PLACE, Bleecker struct. Apply to T. BAILEY MYERS, 20 Nassau steect. TO IET.-TWO NICE FRONT ROOMS AND CLOSET, with furniture, for one or two gentlemen. Coffee, if required, in the room. 355 Breadway, up stairs.

TO LET. TO A SINGLE GENTLEMAN. WITH PAR tial board, a handsome and airy front hedroom, on the first floor, with privilege of hath. Apply to Mrs. Cartledge, 62 Charlton street.

TO LET-FROM FIRST OF MAY, A POUR STORY house, three rooms deep, with all the modern improvements, in a healthy and pleasant location, adjacent to the Fifth avenue, together with the farniture. Part of the rent will be taken out in board by the advertiser and his wife, without children. Address W., this office, with real name without children. Address W., this office, with real name

TO LET-PART OF THE ELIGIBLE THREE STORY residence, No. 327 Greenwich street, near Beach, consisting of two hundsome parlors on second floor, there rooms on third floor, two rooms on attic, and front basement. Apply at Gavitt's Clothing Store, Greenwich, conner of Robinson at.

To LET-TO A SMALL FAMILY, THE SECOND Theor and front basement of house No. 53 Trinity place, the first door south of Rector street, east side. References given and required.

TO LET OR LEASE—THE LARGE FOUR STORY building, with store, 55 Eighth avenue, between Thirty-rinth and Fortisth streets. The premises are in perfect order. Also, several spartnents to let. Terms reasonable. Apply to Wm. H. Doherty, on the premises.

TO LET-TO A SMALL FAMILY, PART OF A HOUSE.

No. 667 Greenwich street, (old number) consisting of two rooms on second floor, two bedrooms, and back basement, with Croton water. Rent 5.390. Inquire of J. D. HART, Lie William street. To LET-A LARGE FRONT ROOM, HANDSOMELY furnished. Also, a small room, with full or partial board, can be had by applying at No. 2 College Place.

TO LET-TO A SMALL PANILY, THE THIRD STORY evenue, consisting of a front room, back room, and two be-rooms, on the floor. Apply on the premises.

TO LET-TWO SPACIOUS ELEGANT SUITES OF

Te LET-TWO LARGE FURNISHED ROOMS, WITH

TO LET—IN WILLIAMSBURGH-BILLIAMS SALOON or bearding bonnes—a specious three-story beigh Boons, we'll arranged for a sented bearding bonne, or beliard rooms and referency; three rooms deep on such floor; No. 97 South Fourth street, adjoining the Riding School. Plead at attaction for a private dwelling. Possession given immediately. Apply on the premises.

TO LET—AT YONKERS—A NEW COTTAGE. CONtaining ten rooms, (with barn and two acres of land, if required.) The house is finished in the best style, and furnished with range, formace, &c. It is very pleasantly located on the river, within five minutes' walk of the Depot and Steam boat dock; rent low; will be furnished, if required. Apply to J. H. JENNINGS, Yonkora, or at No. 22 Cliff street.

Ac., &c. Immediate possession given, and the reat to commence from the first of May. Inquire at the Hoboken Lan Office, of W. W. SHIPPEN, Agent.

TO LET-A NEW BRICK DWELLING, ON THIRTY-LET-A NEW BRICK DWELLING, ON THE seventh street, were Seventh avenue; twent course; Creton water throughout; rent, \$130. Also, ments in dwellings on Thirty-seventh street, near Sevenue; Creton water in each; convenient for small lies. Apply to C. Partridge, in the steme building on T statt; street, near Seventh avenue, or 3 Courtlandt street, near Seventh avenue, or 3 Courtlandt streets.

TO LET-A VERY NEAT THREE-STORY HOUSE. No. 152 Macdongal, near Washington square, contrining twelve rooms, including parlor, basemont, kitchen, store your &c., well mished throughout. Rent \$598. Smal family preferred. A part of the furniture in the house will be sold low, if wasted. Can be seen at any time through the day. Apply to E. B. Kinshimer, 319 Fourth avenue, 5 to 2 arter 2 P. M.

TO LET, IN HOBOKEN, TO A SMALL FAMILY colly, the upper part, back basement, and half of under cellar, of a new three story brick House, fronting the cities to being one of the most pleasant locations in the village, and about five minutes walk from the feery. The promises can be seen at any time during the day, by calling at the corner of Hodoon and Second streets, Hoboken, where information regarding locality, &c., will be given or inquiry can be made at 41 Washington street, corner of Morrie, New York.

TO LET-A ROOM AND BF, DROOM, FURNISHED OR unfurnished, to a single g_nuleman, or a gentleman and his wife, with board or without. Reference given and required. Apply at No. 316 Br. come street, corner of Thompson.

NEWS BY TELEGRAPH.

THE CUBAN EXPEDITION—GOVERNMENT MEASURES TO INTERCEPT IT—VESSELS ON THE LOOK OUT—THE CHARGES AGAINST MR. EWBANK DISMISSED—RE-MOVALS IN THE LAND OFFICE, ETC.

Washington, April 28, 1861.

I have nothing further to communicate respecting the Cuban invasion. The vessels of the Home Squadron on the look out, are the Saranae, the Albany, and the Decatur-not the Germantown, which is on her way to the East India station.

The Susquehanna remains in readiness at Norfolk, till the matter blows over, in case her services might be required. It is supposed, however, that the attempt has

terior during Mr. Stewart's absence.

After a full investigation, by the Attorney General and the Secretary of the Interior, of the charges against

Very Interesting from Hayti-Trouble Anti-

postion; and that the claim made for the detention of the American Irig Leander, and the imprisonment of her captain. Ind also been rejected. In consequence, the Heytiens expected the arrival of an American squadron at Fort an Prince.

Five of the conspirators against the Empire were shot while Captain H. was at Port an Prince; one, a Custom House ofheer, died quite bravely, saying that they might shoet him, but that there were plenty left, and that an imperial government was too expensive for such a poor island, and never would be sustained.

Soulouque has called an additional military force to Port au Frince, and parades the streets daily at the head of two or three thousand men.

Intelligence from Buenos Ayres.

Boston, April 28, 1851.
The bark Argentine, at Salem, brings Buenos Ayres dates to March 5th. The U. S. corvette St. Louis, Com-

vice in the Methodist church, and while the congrega-tion were at prayer before the communion, the church was struck by lightning. The fluid passed down the steeple and lump rods into the centre of the church, amidet the assemblage, instantly killing Mrs. George Pensyl, and seriously joining several others in different parts of the house. The steeple was shattered, pews de-stroyed, and flooring torn up. The church was new, and has sustained considerable injury.

Talk of a Cuban Expedition at New Or-leans, &c. New Onleans, April 27, 1861. There is much talk about a Cuban expedition ; but

thing certain is known.

The river has fallen one foot from the highest point.

The Union and the South-The Case of Simms, &c.

The New Orleans mails to the 20th inst. came through

It is rumored at Savannah, that the Boston Marshal

Fire at Pittsburgh, &c.

Pitrasenan, April 28, 1851.

A brick house and stable, valued at \$1,000, were burnt in the Fifth ward, on Sunday morning; it was the work of an incendiary.

The river measures six feet in depth. It has been raleing during the last twenty-four hours. The thermometer stands at 50.

Assault by a Mate of a Ship. Frank Cakes, mate of the ship Bio Grande, from laver-pool, was arrested in this city. last night, for throwing a capston bar against an Irishman, fracturing his skull The Irishman is dying at the hospital.

(Mr. Balmango is a Scotch gentleman; an old friend of Mr. Sinclair, Mrs. Forrest's father, and has been a long

Before the Hon, Judge Greenwood and Aldermen Leech
Monnay, Aran. 28.—The proceedings commenced this
morning with the reading, by the Court, of Mrs. Thompson's testimory, privately taken by arrangement on Saturday last, and which was as follows:—
Q.—Do you recollect the evening Mr. Thompson was
arrested?:
A.—He, Thompson, let him in and saket him up stairs,
when he same up, he said, "Mother, here is a warrant for
them he same up, he said, "Mother, here is a warrant for
her he same up, he said, "Mother, here is a warrant for
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when he same up, he said, "Mother, here is a warrant for
when he same the same and the said," He had been do not be said,
"I don't drink it was an here; it was a free real he
went out after tee, we took the half an hour set,
he went out after tee, we took the half an hour set,
he went out after tee, we took the half an hour set,
he went out after tee, we took
'o'clock; he was gone half an hour; it might have been an
hour; I don't think it was an hour; it was after tea he
went out that afternoon, I am sure that the children had
not been put to be when he got home; he thought they
were up late. I was geing with him to Feur't street, he
went down Fulton street, I think he was home a long
it he before the single with him to Feur't street, he
went down Fulton street, I think he was home a long
it he had come home from the druggist's on the night
in question; I have done very like for the support of
my half, you't had here was a said.

I u

The Attorney General will act as Secretary of the In-

the Secretary of the Interior, of the charges against Commissioner Ewbank, they have all been dismissed as frivolous and untrue, and a written statement to that effect was given to Mr. Ewbank.

Ezra Williams, Whitney, Stanley, and George Lucas, were removed from the Land Office to-day. The two first are democrats, and the others whigs.

Secretary Webster accompanied by his lady, reached this city yesterday morning. A cabinet meeting was held this morning.

cipated with America.

Boston, April, 28, 1851.
The schooner Mary Chilton, from Port au Prince, with dates to 9th instant, being two days later, arrived at this port, this morning. Capt. Holkins reports that the Chamber of Deputies had been in session for the consideration of the proposition of the American government relative to acknowledging the independence of the Dominicans, and it was generally stated on the day that Capt. H. sailed, that the chambers had rejected the propostion; and that the claim made for the detention of the

were received with unusual honors. In speaking of these arrivals, the Packet says:—The St. Louis greeted the arrivals, the Packet says:—The St. Louis greeted the town with a salute of twenty-one guns, which were duly acknowledged by the battery Libertal. The national schooner Julio welcomed the Commodore's ensign with a salute of thirteen guns, which was immediately responded to by the corvette. The French brig of war Hussard then paid her decon's to the gallant Commodore; and the old republic of America and the young republic of Europe, exchanged their cordial embraces on the limpid bosom of the mighty Platte."

The resignation of Rosas is (as before mentioned in the Hiraal-D) again before the Legislature, and this time with rather more signs of its being a bone fide affair.

The Buenos Ayres Packet speaks in warm terms of the United States, and of the rapidly increasing trade between the two countries.

tented States, and of the rapidly increasing trade between the two countries.

Captain Murdock McKenzie (of the ship Adamant, from Liverpool for California, condemned at Montevideo.) was killed at Buenos Ayres, by falling from a horse, and was followed to the grave by all the sea captains in port. The Packet beasts of enjoying the first fruits of the steamers, having received English papers in forty days by the steam packet.

gregation Killed, and Several Injured.

DANVILLE, Pa., April 28, 1851. DANVILLE, Pa., April 28, 1851.
Yesterday afternoon, at three o'clock, during the ser
vice in the Methodist church, and while the congrega

Bosrov, April 28, 1851.

Daniel Webster's letter was not read this afternoon, in ensequence of the sickness of Alderman Rogers. It is raid to be only two lines long, stating that he is about to leave Boston, and intimates thereby that their retrac-

BALTIMORE, April 28, 1851.

The Mobile Advertises gives accounts of outbusinsti-Union meetings in all parts of the State.

It is rumored at Savannah, that the Boston Marshal and aesistants received insult and indignity from the people of Beaufort, on their way back to Charleston. The election of Summer has drawn forth strong language in Charleston. The Mercury of that city says, it is evident the people of Massachusetts are, with few exceptions, abelitonists, and that the triumph of law in Simms' case has merely preceded the triumph of Saumer. Marshal E. Halliday, who stole and circulated a large funder of treasury notes, seven years since, in New Orleans, has been pardoned by the President.

A gang of counterfeiters has been discovered in New Orleans, and a large number of notes on the Union and State Burshs of Louislana soized. Two of the men were structed.

About forty feet of the towards in Waterhouse creek aqueduct, Oswego Canal, has been carried sway, but the superintendent expects to have it repaired to-night. A defect in the valve lock next Rochester, yesterday, caused a detention of two hours to the boats.

The Forrest Divorce Case.

The Forrest Divotce Case.

SUPREME COURT—SPECIAL TERM.

APPAINTMENT of a NEW PRINTS.

Before Chief Justice Edmonds.

Arm, 28—Cathorine N. Forrest against Edmin Porrest.—
A motion having been made in this case on the part of the defendant for an order, dissolving the injunction issued therein, and counsel having been heard for the rejective parties it is now declared by the court that the practice of this court requires that this action should be proceeded by a next friend; and thereupen, on filing the consent of Robert Balmanne to be such next friend; and on meticu of Howland and Chase, attorneys for the plaintiff, its redered, that the said Robert Balmanne be and he bereby is appointed next friend for the said plaintiff, to proceed this action with and for her, as which, her next friend; and that the complaint in this neckes be, and the same hereby is, accordingly amended by inserting in the commencement thereof, after the words. "The complaint of Cathorine N. Forrest, the plaintiff in this action," the following words: "by Robert Bal manno, her next friend." And deliberation having been had upon the said motion, it is ordered that so much of the said induction as "restrains the said Edwin Forrest from coming into any house or place where she the said Cathorine N. Forrest may reside or he, and from removing or taking any house or place where she the said Cathorine N. Forrest more out of the State of New York, and as restrain a the said Edwin Forrest had notion, it is ordered that for the said Cathorine N. Forrest more out of the State of New York, and as restrain a the said Edwin Forrest from or and of the State of New York, and as restrain a the said Edwin Forrest from or and of the State of New York, he and the rame is hereby dissolved.

And it is further ordered, that the residue of the said motion be, and the same hereby is denied.

(Mr. Sinclair, Mrs. Forrest yisther, and has been a long or the said of the said motion be, and the same hereby is denied.

tions were not made the means of subserving private ends. It was here charged that Mr. Wilkes was bent upon accomplishing a certain purpose, and they could not shut their eyes to the fact of Mr. Smith being his private general counsel—that this was a matter of discretion with the court, and they did not think that the appointment of Mr. Smith would be consistent with that great and high moral rectitude that should characterise the administration of public justice.

Mr. Smith, who was about to address the court, was interrupted by Mr. Clark, who hoped he did not consider that any personal reflection had been intended. Mr. Smith then observed, that when charges had been made against Mr. Wilkes, it was not unreasonable or extraordinary that he should wish some person to be here acquainted with all the circumstances of the case, to advise with the law officers of the State.

The Court felt it a very unpleasant duty, but must abide by the decision; and as Mr. Smith admitted that he intended to take an active part in the case, they could not allow him to come in. (Mr. Smith, on this retired from the court.)

The examination of Mr. John G. Lamberson, the District Alterney for the county of Queens, was their presenced with. Some indérements found against Drury in 1847, were produced and shown to witness; he stated they were original documents; but Sr. Clark chjeeted, and said it was an outrage on the rights of a man accused to introduce testimony charging sim with amother and tosally different offence; it was only done to excuse themselves from the wrong they had consuited. When they went to the defendant's heuse, and said they had a sarch-warrant—in which statement they fied—they lied them as they did now, when they also onto that house and seize the property than they had on the them set they had no the region of caughters; and then they had syread these charges by means of the press, and given it out to the world that he was a thief.

The District Atterney offered this evidence for the purpose of explaining the riss

The contents of the indistinent were ruled out and the question put. Were there any indictionents found in Queen's county pending on the 18th November, 1849, which had reference to certain watches, jewelry, and personal property?

Oldected to and amended.

Was there any criminal case pending, in which it became material to produce this property as evidence against Mr. Prury.

Objection taken and noted.

A.—There were several indistinents found-against Mr. Prury, by the grand jury, in the Sessions of June. 1847, but all action upon them was taken by the Court of Oyer and Terminer. In October hexceeived notics of a motion to enter a nolle prosequi; the chief judge sgreed with him that that they had no power to do so except upon the motion of him (the District Atterney), but the justices thought otherwise, and being a majority of the court, made a rule for one; he, (witness) however, had never entered it, considering the order to be quite unauthorized, and preferring to remain in contempt. He therefore considered the indictment was then pending. He had subsequently come to the conclusion that the offence was not rounnitted in Queen's county, and had entered a rule prosequi on the 18th Nevember. 1850. Those indictments could not be tried, nor the trials conducted, without the production of these watches, watch-makers tools, and some articles of jewelry, and somewatch-case makers tools. He had received some information in 1840, a short time after the science of the property, and he came down with the indictments which he considered were still produing, and went before a judge of the Superior Court. (Judge Oakley.) before whem a motion had been made by Drury, to recover prosecsion of that property. His object was to prevent the judge making an order for the rectoration of it to Drury. Warner was Drury's counsel. The order was noted in the minute book, and he knew it, as witness supposed. The offence, if any, was committed in 1848, in which year he was tried and acquitted. The indictments had been lost. Mr. Joseph Whi

the two letters of Thompson, which were marked but not then read.]

At the conclusion of the above, the District Attorney addressed the coart. He was obliged to retire, having an important matter in hand claewhere, and supposing that his came would have been concluded before now, and be wished to nominate, as his representative, Mr. James W. Smith, who was in court, as was also Mr. Wilkes.

Mr. Whiting objected to a counsel being brought in at his last stage of the cause, and offered to show, first, that Mr. Smith was the private counsel of the parties prosecuting this case; secondly that he was engaged, at the present time, in defending the civil suits brought by Mr. Drury gniants all the parties for the unlawful invasion of his house and seizure of his property; thirdly, that he had a personal and bitter animosity against Mr. Drury. They, the defendant's counsel, did not wonder at the District Attorney's wish to retire; but if he did so, After a recess of about half an hour, the besiness of the count was resumed.

A. M. C. Smith, recalled:—The counsel for the prosecution offered to prove a paper containing a list of articles, or a receipt for a number of articles, received by Mr. Stewart, Clerk of Police in New York, which, receipt was given by Mr. Stewart to Captain Magnes, of the Sixth ward pelice. It was proposed to prove that these articles were the same as these taken from Mr. Drary's possession by witness.

The Court asked why the articles themselves were not produced.

not produced.

Mr. Waring said the articles were on their way to court.

Druy. They, the defendant's counsel, did not wonder at the Bistrict Attorney's wish to rethre but if he did so, he had a competent officer to represent him in the Assistant District Attorney, appointed by that court.

A sensewhat lengthy argument ensued, in which they, defendant's counsel, referred to be vol, of the Revised Statutes, p. 457, whereby it was enacted that the District Attorney should "conduct" all public prosecutions, or, in his absence, the court to appoint a fit and proper person to represent him.

General Duryea said he did not wish to clude the responsibility of this prosecution. Mr. Moore, the Assistant District Attorney, should represent him; but Mr. Waring was otherwise engaged, and they wished to have two council. by the Court.

Q.—By Mr. Clark.—Was that seizure of property ever made by your direction?

A.—It was not; I do not knew Mr. A. M. C. Smith, nor Mr. Wilkes; I never gave any directions about the zeizure of that property.

A. M. C. Smith, receiled.—I knew John Mr. Taylor; his effice is in William street, New York.

Q. After taking, there is in William street, New York.

Q. After taking there are the to any person in New York connected with the prosecution in Queen's county, in relation to your having in your possession certain property, which was supposed to be necessary to that presecution for evidence; and if so, what, and to whom? (Objected to by the defence, Objection overruled by the Court, and exception taken to the ruling.) A. In one or two days after those things were taken to the police office. Mr. Taylor came waiking, in with a book under his atm. and said he wanted to see the property. Mr. Stewart and myself showed him the property. Wr. Stewart and myself showed him the property. A. I exercised no control ower the property afterwards. Mr. Stewart is the property cierk of police. Defendant's counsel had no objection to their having two coursel, and they might relect any gentlement of eminuces at Brooklyn; but Mr. Smith was certainly not a fit and puper person for the mantle of the public prosecutor to descend upon. They did not charge it oftensively mit peoped to take testimony as to the matter of the retainer, or if the court would adjourn, they (the defence) would procure the attendance of the Attorney General of the State within twenty four hours, a course which (key would much profer.

Mr. Smith said that he had received a letter from Mr. George Wilkes, requested in his attend, which he had peremptorly declined, but afterwards had consented to do no, by a written request of Mr. Waring.

Mr. Whiting claimed the right to examine Mr. Smith, which was a connected and the latter gentlement stated that he was a connection at law, carrying on business in New York, at No. 26 Nesson street, a present residing at fort Hamilton; that Mr. George Wilkes, the editor of the Pelico, Guzethe, was a client of his; knew A. M. C. Smith, but he was not his client; knew the late W. H. Thompson, craducted a cause for him in Brooklyn; thought it was a charge against him on the torpedo matter. Thompson sendered the services by Thompson, Wilkes, or anybody clae; Thompson had told him that he had year of the services by Thompson, Wilkes, or anybody clae; Thompson had told him that he had year of the services by Thompson, Wilkes, or anybody clae; Thompson had told him that he had year of the service by Thompson, Wilkes, or anybody clae; Thompson had told him that he had yellow a service by Thompson, Wilkes, a carrybody clae; the matter of the control of the control

Mr. Stewart? A. I excrelect no control over the property afterwards. Mr. Stewart is the property clerk of police.

Q. What relation has Coptain Magnes to this affair? (Objected to, and everyoled.) A. When we came slown the night before, we found the office was was closed, and we handed the property to. Captain Magnes, to select some percent to take an inventory of is. Captain Magnes was the Captain of the Sizih ward Pulice. he was my captain, it was the second day after the property was placed there, that Mr. Taylor came up.

Crosser annihed.—Q. Can you swear that all the property has by you and attent from Mr. Drury's, was delivered over to Mr. Magnes?

A. All that I took was as delivered; I don't know what effects took; I know what manner is prescribed by the sistints for the review of search warrants; I was aware of it at that time.

Councel for prescention.—What has been the practice of effects of the police in relation to taking stolen property, and other pasperty alleged to be illegally in possession of persons?

The defence objected to evidence of this kind. The Central of the receipt of the sustom might tend to exceed patch the tree of the purent for any possible receipts in this case. The counsel for the presentation finally changed the fixen of his presentation finally changed the fixen of his presentation finally changed the fixen of his presentation in this case. The counsel for the presentation in the case. The counsel for the presentation in the counter of the house, a little girl lecked the door of the room as the lend of the states, and put the key away in a child's crit; reving this, I went to the crib, took the key, went into the room and was two boxes, marked Beston, Alams & Co. and directed to Samuel Drury. New York; the lid of one of the bayes was loose, and I looked in and saw sam gold articles. From all that I have seen, and knowing the character of the man, go on to what you found.] There were seen the and some watches, we went down in the best most and found two watches there, well a fe

deemed it my dety to take the property to the police office.

Cross-examined—I did not see an ingot of gold; there was a small bar of metal; I think it was taken on the second warrant, that is, at the police office; I had heard that the insurance company have a claim upon them; I thought they might be stolen, or they might be the property in which the insurance company was interested; I do not know that I ever authorized an advertisement colling on persons who had lest property to call it the Folice office and examine this property; I do not know that I was suce that there was any indictinent pending in the county of Queens in reference to which these articles could be testimony; I did not take the watches away; I do not know that the \$5 bill had a piece of newspaper wrapped around it.

Q.—Was Mr. Wilkes an officer at that time? A.—No. Q.—Are you wavere that under the statute no private citizen can execute a search warrant? A.—Weil, I do not know. Q.—Did you, or did you not before the arrest of Drury, go to engaster's and get impressions which had been made upon pieces of paper, and say that you wasted them for police purposes? A.—Allow me to explain why I did so.

Court—Certainly you can explain.

Clark—But first answer the question.

isin why I did so. Court—Certainly you can explain. Clark—But first answer the question.

Clark—But first answer the question.
Witness.—I did.
Q.—When was it?
A.—It was during the time of the holding of the fair;
I got the impressions from Hawdon, Wright and Hatch,
I gave them to Thompson in five minutes after I got
them; Thempson was in William street. Rawdon, Wright
& Hatch's thee is in the Exchange; Thompson was wait-

ing for them; I was requested by Mr. Wilkes to got them and give them to Thompson; I did not know that they were got by me at the auggestion of Wilkes to be put on to Drury, to make evidence against him; they were got, as I understood, to be shown to Drury, who was to be made to belive that the dies had been stolen from Boston; it was for the purpose of decoying Drury to the five mile stone; I believe young Drury was finally decoyed there; Thompson brought back the ends of bills I had borrowed, and I returned them to Rawden, Wright & Hatch; I found something like them in Drury's veet pocket when he was arrested; at the morning of Drury's arrest I walked with Jenkine and Crassons to Catharine ferry; I think I returned to Rawdon, Wright & Hatch all the ends of bills I had borrowed; there were about twenty of them.

Direct resumed.—All the explanation I have to make is that the ends of bills were got to make Drury believe their Thompson had the dies.

John M. Taylor sworn.—I have been the attorney for the Etwa and Protection Fire Insurance companies since 1848; when the first complaint was made against Man Drury; in 1848, there was a search warrant procured; the search warrant was bfought over from Jamaica and placed in Mr. Matee was a search warrant procured; the search warrant was bfought over from Jamaica and placed in Mr. Matee was a search warrant procured; the search warrant was bfought over from Jamaica and placed in Mr. Matee was an attack, with a request that it might be placed in Mr. Smith's hands; Mr. Smith was sut of the way, and the warrant was placed in the himse of another efficer, and served; I mat Mr. Smith a few days after wrads, and told Mr. Smith that I respected that he had not get the warrant and served it, this may have been in 1847; I have not refreshed my memory by reforence to my books.

To Sourt.—I saw the property advertised in an editorial notice in the Himsel.

A.—I did not justify the science, only so far acit might be covered by the former search warrant; I did not know that the for

City Intelligence.

THE CUBAN EXPEDITION—THE OTHER PARTIES BAILED. The excitement respecting the late contemplated invasion of Cuba continues throughout the city, and the United States Mazshai's office and the hall of the District Court were througed yesterday by a vast number of persons interested, as well as those implicated in the Germans, and other foreigners, who were enlisted for

Germans, and other foreigness, who were emisted for the pseuds expedition, and who are now retained as witnesses; but no new feature has transpired in addition to the full particulars that have slready appeared in the Hersid, except that Dr. Daniel II. Burtnett was a held to both before Mr. Commissioner Nelson, in the sum of \$1,000; Mr. George W. Green, of the Fourth avenue, being his beil. The bonds for the appearance of Major Schlesinger and Capt. A. I. Lewis were also perfected, Charles O'Conor, Eq., being hall for both in the sum of \$3,000 cach. The bail for Captain Lewis was entered into at half-past seven o'clock, last night, at the private residence of Mr. Commissioner Brigham.

The twenty-five keeps of gruppowder discovered by Marshal Tallinsdge on board the steamboat Cleopatra, on Sunday, have been sent to the arsenal. The keeps were concealed in boxes, and stowed away under the cabin. No fireasms have as yet been discovered, nor is it believed that any are concealed on board. The squad of mannes are still in the possession of the beat, and will remain so, no doubt, for several days to come. Great curiosity exists by our citizens to view the beat, and will remain so, no doubt, for several days to come. Great curiosity exists by four citizens to view the beat, and along mannes of percens congregated during the day, in the vicinity of percens already developed.

Fire —Alicut two o'clock, talk, and wonder at the events already developed.

Figs. —About two o'clock, this morning a fire broke out in building No. 48 Water street, occupied as a wonl-len and hop store. The fire considerably damaged the contents and interior of the building.

contents and interior of the building.

RARLEGAD ACCIDENT—CAUTION TO RAILDOAD TRAVELLESS.—On Saturday morning last, an accident occurred on the Hudson River Railroad, a short distance below Sing Sing. It appears a passenger named Nye-was standing on the platform of the rear car of the train, which was under full headway, and by some cause was suddenly thrown off, landing among a pile of stones, which badly injured his head and back. At the time of the occurrence, Deputy Sheriff Lowndes, of this city, was wending his way toward the prison with a convict, and observing the accident, he immediately approached the injured gentleman, and had him placed under the care of a physician, at a hotel in the village. This should serve as a caution to railroad travellers who are in the habit of standing upon car platforms when the train is in motion.

beath caused by Intemperance.—Coroner Geer, yearlenday, held an inquest at the City Prison, on the body of Eliza Evendeer, aged 38 years, born in Ireland, whe was brought to the City Prison, by the posice, and expired in a few seconds after being admitted. Verdict, death caused by intemperance and exposure.

Accuracyal Drowning.—The Ceroner Rewise held an inquest at 224 Nineteenth attreet, on the body of a bognine years of age, by the name of Robert White, when came to his death by drowning. The poor boy, it became, was gone from his parents' house but a short time, on Sunday afternoon, and went to play on the dock, foot of Eighteenth street, where he accidentally fell into the river, and was drowned before aid could be produced. Verdict accordingly.

Divarie of Drowning.—The Corner held an inquest yesterday, at the foot of Charles street, on the holy of Mary Brener, aged 50 years, born la Ireland, wha came to her death by accidentally falling off the dock into the river. The deceased was observed by a poliserant is busiting on the string piece, at the snd of the pier, from which place, it is believed, she accidentally fell into the river. Brookslyn City Leathligeness.

FOUND DROWNED.—The body of a well dressed which had evidently been a considerable length of time in the water, floated on shore, at Red Hoof, Foint, Bresdyn Lyn last evening. A gold watch, ivery tablets a banda of keys, and sundry small assieles, were taken from his peckets, and are now in the possession of Christopher Riley, at the Point. A clue to the body may be a footest from the following address: taken from the tablets ——447 Twelfth street, one door from avenue B."

Charge of Forgery.—3 German Jew, called Charles Meyers, was arrested pesterday by officer Waed, of the Tenth ward, on a charge of forgery. It seems that Mr. Husch Heirmannan, possident of the German Mchrew asciety, discovered that his name had been forged to 21 orders, requesting the payment of sums of arm \$1 to \$5 cach. These forgeries had been presented to Josephilote, the cashier of that toolety, who paid the same amounting to near \$100. These forgeries are said to have been specured by Meyers, who, on anseet, because allowed and schwewledged his guilt. Justice Timpson committed the necessed to private for trial.

Charge of Stating Brane Castings.—A man called John

necased to prison for trial.

Charge of Staling Brass Castings — A man called John Whitly was acreated by the police, and coursesed before Justice Timpson, on a charge of studing a quantity of brass castings, together with tools, patterns, he, valued in all at \$230. the property of Isaan Holloway, situated in Eighty eighth street, between Third and Fourth avanues. The accused was conveyed before the magistrate, who detained him for a further examination.

Street on Suspicion of Robbing a Francis—The police of the Secrenth word arrested on Sunday night, a man calling himself John Compet, as suspicion of studing a francis—The accused conveyed before Justice Timpson, who detained him further theories.

conveyed before Justice Timpson, who detained him the hearing.

Justice hearing.

Justice for an Alderson.—On Saturday Inferror and Alderman Scurtevant, of the Third ward, was proposing himself for dinner in the wash room at the tree Astor House, he was necessied in a very rade manner by Henry A. Grisweld, a lawyer, respecting a suit in who can the Alderman had been the epposing counsel as a suit of the Alderman had been the epposing counsel as a suit of the Alderman had been the exposing counsel as a suit of the Alderman before committed a violent assault on the Alderman the servants present interfered, and the parties were reparated. The Alderman on Sunday may a necomplaint before Justice Lothrop, who issued a way that for the acceptance of Grisweld; and yesterday, officer Rabbi Patternov toch the necessed into custody on the change. The case will undergo a hearing before the mr. gistrate.

Marine Affair Agriculture Affair Agriculture Affair Agriculture Chingarora, formerly ir making to Fort Hamilton and Keyport, has been sold to a company, who propose placing her on Lake Ponchar crain, in Louisiana. She is

Naval Intelligence.

The naval construe or at the Gospert Navy Yard, has recommended that 'the Pennsylvania should go into deck in order to examine and repair ker hottom. The department has been written to on the subject.

The U.S. surveying schr. William A. Graham Paned Mid-hipman Fey commanding, 32 days from Pennsoda, arrived at Norfelk on the 24th inst.

The stort hip Relief is ready for sea, waiting for hor complement of officers.

Supreme Court—Special Term.

Before Hon, Judge King.

Arms, 28.—Clas. F. Daphyra vit. The Empire MS.

This was a motion for an injunction and the appointment of a receiver to take the property of this corporate (the Empire Mill) and see that the claim of the plaint as the creditor for \$8,000, should be satisfied.